

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SARAH HORTON,)	
)	
Plaintiff,)	
)	Civil Action No. 04-CV-12359-MEL
v.)	
)	
TSI FENWAY, INC., d/b/a)	
BOSTON SPORTS CLUBS,)	
)	
Defendant.)	
_____)	

JOINT MOTION TO AMEND SCHEDULING ORDER

Counsel for Plaintiff, Sarah Horton, and Defendant, TSI Fenway, Inc., have conferred and hereby submit this Joint Motion to Amend Scheduling Order.

On July 28, 2006, in response to a Joint Motion by both parties, this Court amended the Scheduling Order set a discovery deadline of October 31, 2006. However, due to unforeseen scheduling conflicts, including an unexpected trial for Defendant's counsel in another, unrelated matter in Indiana, the depositions of TSI Fenway, Inc.'s witnesses have not yet occurred. The parties continue to work together amicably to resolve their disputes and scheduling conflicts, but have been unable to prevent the consequent delay of the completion of discovery. Consequently, counsel for both parties have conferred and agreed that the current discovery deadline should be extended by two (2) months, with an amended discovery deadline of December 31, 2006.

WHEREFORE, both parties respectfully request this Court to grant their Joint Motion to Amend Scheduling Order and set a new discovery deadline of December 31, 2006, and that all other deadlines set forth in the original Scheduling Order be amended to correspond with the new discovery deadline.

Respectfully submitted,

TSI FENWAY, INC.,

By its attorneys,

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SARAH HORTON,

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Dated: October 24, 2006